

CHRISTOPHER CHIOU
Acting United States Attorney
District of Nevada
Nevada Bar No. 14853

Daniel P. Talbert
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
160 Spear Street Suite 800
San Francisco, CA 94105
OH State Bar No. 0084088
Daniel.Talbert@ssa.gov
Telephone: 510.970.4860

Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN KEITH KOLTERMAN,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,¹

Defendant.

Case No.: 2:21-cv-01251-CLB

**UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE ANSWER AND CERTIFIED
ADMINISTRATIVE RECORD**

(SECOND REQUEST)

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the "Commissioner"), by
 2 and through her undersigned attorneys, hereby moves for a 30-day extension of time to file the electronic
 3 Certified Administrative Record (CAR) and Answer to Plaintiff's Complaint. The CAR and Answer to
 4 Plaintiff's Complaint are due to be filed by December 17, 2021. This is the Commissioner's second
 5 request for an extension of time.

6 In good faith and for good cause, the undersigned attorney "of counsel" requests this extension
 7 because she will be on medical leave for surgery starting early this week, and she will be off work for at
 8 least two weeks and unable to complete review of the CAR and prepare the Answer by the current date.

9 Due to the volume of the overall workload within the Region IX Office, neither the undersigned
 10 attorneys nor another attorney in the Region IX Office anticipate being able to complete review of the
 11 CAR and prepare an adequate Answer by the current due date of December 17, 2021. Accordingly,
 12 Defendant respectfully requests that the Court grant this Motion and permit an additional 30 days, until
 13 January 16, 2022, for Defendant to file a responsive pleading and the CAR in this action.

14 Defendant conferred with counsel for Plaintiff, who confirmed on December 13, 2021, that he
 15 does not oppose this motion.

16 WHEREFORE, Defendant respectfully requests the Court grant a 30-day extension of time to file
 17 the Answer and eCAR, through and including January 16, 2022.

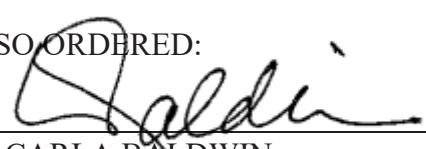
18 Dated: December 13, 2021

CHRISTOPHER CHIOU
 Acting United States Attorney

19 /s/ Daniel P. Talbert
 20 DANIEL P. TALBERT
 21 Special Assistant United States Attorney
 Social Security Administration

22 KRYSTLE S. MCMULLAN
 23 Assistant Regional Counsel
 Of Counsel

24 IT IS SO ORDERED:

25 
 26 HON. CARLA BALDWIN
 UNITED STATES MAGISTRATE JUDGE
 DATED: December 14, 2021

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER AND CERTIFIED ADMINISTRATIVE RECORD** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Hal Taylor, Esq.
haltaylorlawyer@gbis.com
Attorney for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 13, 2021

/s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney
Social Security Administration

KRYSTLE S. MCMULLAN
Assistant Regional Counsel
Of Counsel